

Forest Land-Sindhudurg

Diversion of 0.0672 ha. Forest land under Forest (Conservation) Act, 1980 for laying of Underground CNG Pipeline within RoW of existing road, from Malgaon to Sawantwadi, in Sindhudurg District in the State of Maharashtra.

**Government of Maharashtra
Revenue and Forest Department
Government Order No: FLD-14A23/C.R.271/F-10**

Mantralaya, Mumbai-400 032

Date: 21.09.2023

Reference:-

Additional Principal Chief Conservator of Forests, M.S, Nagpur Letter No. Desk-17/ FCA-S1/PID-423106/Kolhapur/1673, dt.30.08.2023.

Preamble:-

M/s. Maharashtra Natural Gas Limited Kudal, Sindhudurg has submitted a proposal for Diversion of 0.0672 ha. Forest land under Forest (Conservation) Act, 1980 for laying of Underground CNG Pipeline within RoW of existing road, from Malgaon to Sawantwadi, at-Kumbharli, Tal. Sawantwadi, Dist. Sindhudurg in the State of Maharashtra. APCCF & Nodal Officer has submitted this proposal to Government of Maharashtra vide letter under referred above.

Order:-

In exercise of powers under general approval granted by MoEF&CC, Govt. of India vide Handbook of FCA Guidelines-2019, Chapter 4 (para-4.2), Government of Maharashtra is pleased to grant '**In-principle**' approval under section -2 of Forest (Conservation) Act, 1980 to the diversion of 0.0672 ha. Forest land for laying of Underground CNG Pipeline within RoW of existing road, from Malgaon to Sawantwadi, at-Kumbharli, Tal. Sawantwadi, Dist. Sindhudurg in the State of Maharashtra.

The details of Forest Land as under:-

Sr. No.	Purpose wise break up	Name of Village	Taluka	District	Gut. No	Length & Width (in Mtr)	Area (in ha)	Legal Status
1.	Laying of underground CNG Pipeline	Kumbharli	Sawantwadi	Sindhudurg	84	1120 X 0.6	0.0672	Reserved Forest
Total Forest Area (in Ha.)							0.0672	

2. This 'In-principle' approval is subject to the following conditions-

1) The legal status of the land shall remain unchanged.

2) **Net Present Value:-**

- a) The Forest Department shall charge the Net Present Value (NPV) for the 0.0672 ha. Forest land to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No.566 in WP (C) No.202/1995 and as per the guidelines issued by the Ministry vide letters No.5-1/1998-FC (Pt.II), dated 18/09/2003 as well as letter No.5-2/2006-FC, dated 03/10/2006 and 5-3/2007-FC, dated 05/02/2009 & File No.5-3/2011-FC(Vol-I), Dated 06/01/2022 in this regard.
- b) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged from the User Agency. The User Agency shall furnish an undertaking to this effect.
- 3) The Gas Pipeline will be laid within maximum size of the trench of 1.5 meters depth & 0.6 meter width.
- 4) If bank guarantee is not submitted with concern Road Authority (NHAI/MSRDC/PWD/ZP), the agency shall submit a bank guarantee at the rate determined by the concerned authorities and an undertaking to that effect shall also be submitted. If the agency fails to reclaim the land to the satisfaction of concerned Deputy Conservator of Forests, the cost for reclamation will be covered from the bank guarantee.
- 5) If the pipeline is going to be laid in the formation width of the road, for reclamation of side drain and for tarred portion, then additional charges in form of bank guarantee shall be given at the rate determined by the concerned authorities. An undertaking shall be obtained from the User Agency that it has agreed to make good any loss to Forest/ Environment while laying the pipeline in the forest area and during maintenance of the same in future.
- 6) The User Agency shall make good of any loss to Forest / Environment. An undertaking shall be obtained from the User Agency that it has agreed to make good any loss to Forest/ Environment while laying Gas Pipeline in the forest area and during maintenance of the same in future.
- 7) All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal(<http://parivesh.nic.in/>)
- 8) For further maintenance of the project, the agency shall obtain permission from the concerned Deputy Conservator of Forests as and when required.
- 9) The forest land shall not be used for any purpose other than specified in the proposal.
- 10) No felling of trees shall be done during the implementation of project.
- 11) No new forest area beyond the Right of Way of existing road should be broken for laying of Gas Pipeline.
- 12) The User Agency shall pay the cost of Net Present Value as per latest Guidelines of MoEF&CC.

- 13) Underground Gas Pipeline can be laid only outside the confines of the Protected Areas.
- 14) No labour camp shall be established on the forest land.
- 15) After completion of the project, User Agency will reclaim the area under Right of Way suitably.
- 16) The layout plan of the proposal shall not be changed without prior approval of the State Government.
- 17) This sanction is subject to the final clearance by the Competent Authorities for the project and concerned PWD / NHAI authorities.
- 18) The User Agency shall compensate the private holders of forest land if any, in accordance with the prevalent laws, rules & guidelines.
- 19) The User Agency shall obtain Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if applicable.
- 20) All other conditions as may be mandatory under relevant Acts, Rules and Guidelines shall be complied by the User Agency.
- 21) All the conditions stipulated by the Forest Department shall be binding on User Agency.
- 22) In case, the proposed area falls in the RoW of the road passing through National Parks and Wildlife Sanctuaries, prior permission of the State Board for Wildlife should be obtained.
- 23) Final Approval shall be granted by the State Government after compliance of conditions in this order.
- 24) Any breach of the conditions by the User Agency will be treated as violation of the provisions of the Forest (Conservation) Act, 1980.

3. This Government Order is available at the Government of Maharashtra's website www.maharashtra.gov.in with reference No. 202309221252566819 This Order has been signed digitally.

By order and in the name of the Governor of Maharashtra.

(Ganesh Jadhao)
Under Secretary to the
Government of Maharashtra

Copy to:-

1. Secretary, Ministry of Environment, Forests & Climate Change, Government of India, New Delhi
2. Deputy Director General of Forests (Central), Regional Office, Ministry of Environment, Forests & Climate Change, Government of India, Nagpur.
3. Principal Chief Conservator of Forests (Head of Forest Force), Maharashtra State, Nagpur
4. Principal Chief Conservator of Forests & CEO (Maha-CAMPA), Nagpur

5. Additional Principal Chief Conservator of Forests & Nodal Officer, Nagpur
6. Additional Principal Chief Conservator of Forests (Conservation), Nagpur
7. Collector, Sindhudurg.
8. Chief Executive Officer, Zilha Parishad, Sindhudurg.
9. Chief Conservator of Forests (T), Kolhapur.
10. Deputy Conservator of Forests, Sawantwadi.
11. GA-Head, Sindhudurg, Maharashtra Natural Gas Ltd., Kudal, Sindhudurg.
12. Select File-F-10.